

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Samuel Surles,

Plaintiff,

vs.

Donald Andison, et al,

Defendants. /

Case No. 07-13555

Chief District Judge Gerald E. Rosen

Magistrate Judge Mona K. Majzoub

ORDER STRIKING DOCUMENTS

This matter comes before the Court on Defendant's Motion for Leave to File Supplemental Complaint, (docket no. 92), Notice of Co-Counsel (docket no. 93), and Amended Supplemental Complaint and Jury Demand (docket no. 94). Plaintiff is represented by court-appointed counsel, yet he filed these documents on his own, claiming that he intends to appear as his own co-counsel. (Docket no. 93.)

The Court has determined that the filing of these documents does not conform with Federal Rules. "Although criminal defendants possess a constitutional right to be heard and to defend themselves," an individual "has no right to hybrid representation, that is, a right 'to be heard both in person and by attorney.'" *Moniz v. McKee*, No. 05-71699, at *9, (E.D. Mich. Sept. 25, 2007) (Battani, J.) (citing *Crane v. Kentucky*, 476 U.S. 683 (1986); *McKaskle v. Wiggins*, 465 U.S. 168, 183 (1984)) (quoting *United States v. Foster*, 9 F.R.D. 367, 372 (S.D.N.Y.1949)); *see also* 28 U.S.C. § 1654 ("In all courts of the United States the parties may plead and conduct their own cases personally or by counsel.") (emphasis added); *Brasier v. Jeary*, 256 F.2d 474 (8th Cir. 1958), cert denied 358 U.S. 867, reh'g denied 358 U.S. 923.

Therefore, this order will be entered, and the above documents will be **STRICKEN**.

So Ordered.

Dated: August 7, 2013

s/ Mona K. Majzoub
MONA K. MAJZOUB
United States Magistrate Judge

PROOF OF SERVICE

I hereby certify that a copy of this Order was served upon Counsel of Record on this date.

Dated: August 7, 2013

s/ Lisa C. Bartlett
Case Manager